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such Officer or Officers as shall be Appointed thereunto, shall be good & Effectual in Law against us our heirs & Successors And we do hereby Give unto you the said George Earl of Orkney full Power to Order & appoint Fairs, Marts, & Markets, as also such & so many Ports, harbors, Bays, Havens, & other Places for Conveniency & Security of Shipping, and for the better loading & unloading of Goods & Merchandize, as you with the Advice & Consent of the said Council shall think fit & Necessary.

(TO BE CONTINUED.)

VIRGINIA IN 1676 AND 1665-1666.

(Abstracts by W. N. SAINSBURY, and copies in the McDonald and De Jarnette Papers, Virginia State Library.)

(CONTINUED)

CIRCULAR LETTER AND ENQUIRIES¹ TO GOVERNOR BERKELEY, 1676.

(Copy.)

After our very hearty commendations unto you, His Ma'ty having in his wisdom thought fit to supersede the Commission by which his Council of Trade & Foreign Plantations lately acted & thereby restoring all the business of that nature to its accustomed Channel of a Committee of this Privy Council.

¹A similar series of questions, though not so comprehensive, was sent to Berkeley in 1670 and answered by him in 1671. They are printed in *Hening*, II, 511-517. It is probable that the troubles of the "Rebellion" prevented any reply.

And his Ma'ty having more especially committed to a select number of the Board whereof we are, the care & management of things relating to his Plantations. We have therefore thought it convenient to give you advertisement thereof.

And because we find no among the Books & Papers of the late Council any fresher account of things under Your Government, than what you represented in Your Narrative of the 21st June 1671 but do consider that the condition of Colonies is subject to many changes & alterations therefore it is that we send unto You here annext, the same Heads of Enquiry which formerly you had and the addition of some other points that you may with all convenient speed return us all transactions and passages since your former account together with the present state & condition of that place and enlarge your representation in the other particulars which are also recommended to you.

And so not doubting of yo'r care to advise us in these and, from time to time, in all other matters that may conduce to His Ma'ties service & our better discharge of the trust reposed in us, we bid you very heartily farewell.

From the Council Chamber at Whitehall this fourteenth day of April 1676.

Your very loving friends,

FINCH,
ORMOND,
ANGLESEY,
BRIDGEWATER,
CARLISLE,
CRAVEN,
G. CARTARET,
H. COVENTRY,
J. WILLIAMSON,
ROBERT SOUTHWELL.

Teste
W. DAVIS.

The Enquiries are vizt.

Enquiries to be sent to Sr. William Berkeley Knight, Captain General and Governor in chief of his Ma'ties Colony of Virginia.

1. What Councils Assemblys & Courts of Judicature are within Your Government & of what nature & kind?
2. What Courts of Judicature relating to the Admiralty?
3. Where the legislative & Executive Powers of your Government are seated?
4. What Statutes Laws and Ordinances are now made & in force?
5. What number of Horse or Foot are within Your Government whether they be Trained Bands or Standing Forces? How they are armed, divided & exercised?
6. What Castles & Forts are within Your Government & how situated as also what Stores & Provisions they are furnished withal?
7. What number of Privateers or Privates do frequent Your Coast what their Burthens are the number of their Men & Guns and the Names of the commanders?
8. What is the strength of Your bordering Neighbors whether Indians or of any other Nation by Sea & Land. And what is the State & Condition of their Trade & Commerce?
9. What corresponcey do you keep with Your neighbors?
10. What arms Ammunition & Stores did you find upon the place or have been sent unto you since upon His Ma'ties Account when received how imployed & what part of them is remaining?
11. What Moneys have been paid or appointed to be paid by his Ma'ty or levied within Yo'r Government for & towards the buying of Arms or making or maintaining of any Fortifications and Castles or for any other Public use and how have the moneys been expended?
12. What are the boundaries, longitude, latitude & contents of the land within Your Government? What number of Acres patented, settled or unsettled? And how much is manurable land?
13. What are the principal Towns & places of Trade & what manner of buildings are most used in Your Colony as to the strength and largeness of them?
14. How many Parishes, Precincts or Divisions are within Your Government?

15. What rivers harbors, and roads are within your Government & of what depths and soundings they are?

16. What commodities are there of your production growth & manufacture of your Plantation and of what value yearly either exported or consumed upon the place. And particularly what is the present state of the Silk Trade What advantages or impediments do attend it? And what materials are there already growing or may be produced for Shipping. As also what are the commodities imported and of what yearly value?

17. Whether Saltpetre is or may be produced within your Plantation, and if so in what quantity & at what rates it may be delivered in England?

18. What numbers of Merchants and Planters English or Foreigners, servants and slaves and how many of them are men able to bear Arms?

19. What number of English, Scotch or Irish or Foreigners have for these seven years last past, or any other space of time, come Yearly to plant and inhabit within your Government. And also what Blacks or Slaves have been brought in within the said time and at what rates?

20. What number of whites Blacks or Mulattos have been born or christened for these seven Years last past or any other space of time?

21. What number of marriages for seven Years last past or any other time?

22. What number of people have yearly died within your Government for seven years past or any other space of time?

23. What estimate can you make touching the Estates of the Several degrees of Merchants and Planters within Your Government & how you may compute the wealth of the Colony in General?

24. What number of ships sloops or other vessels do trade Yearly to and from y'r Plantation and of what built and burthen and whether there be any belonging to the country?

25. What obstructions do you find to the Improvement of the Trade & Navigation of the Plantations of Your Government?

26. What advantages or improvements do you observe that may be gained to your Trade & Navigation?

27. What rates & duties are charged and payable upon any goods exported out of your plantation whether of your own growth and manufacture or otherwise as also your goods imported. And to what public ends or uses are the same applied?

28. What Revenue doth or may arise to his Ma'ty within Your Government & of what Nature is it by whom is the same collected and how answered & accounted to his Ma'tie?

29. What persuasion in religious matters is most prevalent and among the varieties w'ch you are to express what proportion in numbers and quality of people the one holds to the other?

30. What course is taken for the instructing of the people in the Christian Religion? How many churches and ministers are there within Your Gov't and how many are yet wanting for the accommodation of your colony?

What provision is there made for their maintenance as also for relieving poor, decay'd and impotent persons. And whether you have any beggars or idle Vagabonds?

By Command of Ye Rt. Ho'ble the Lords of the Committee of Foreign Plantations.

ROBERT SOUTHWELL.

Teste

W. DAVIS.

(*Col. Papers*, Vol. XXXVI, Nos. 46, 46-I.)

PETITION^s OF SARAH BLAND TO THE KING.

(Copy.)

(Winder Papers, Vol. I, Page 306.)

To the Kings most Excellent Ma'tie. The humble Petition of Sarah Bland Mother of Giles Bland now in Virginia.

Petitioners husband (John Bland) haveing expended neer ten thousand pounds in severall Plantations [his b] rother

²In regard to the case of Giles Bland, see this volume, pp. 238, 239, 242. The original of this letter was evidently in bad condition.

(who was intrusted w'th ye management thereof) being dead, the said John Bland did send his *[sonne to possesse and manage the same, Which said Giles Bland did apply himselfe to Tho: Ludwell Esq'r* . . . att the house of the said Ludwell they were both heated with too much Wine & Brandy with severall . . . Ludwell telling your Pet'rs son that his Father had sent him w'th forged writings, to cheate the Widow . . . nt quarrell, and on Exchange of Gloves to meet att a place appointed the next morning: Where the s'd . . . to appeare. Whereupon (it is said) that the said Giles Bland (having had no sleep) did in passion, . . . aid heate of Brandy, fix the Glove of the s'd Ludwell upon the Door of the State-house where the . . . were to sitt, which (by Contrivance of ye said Ludwell) was by some of the Bur-gesses complayned of, & . . . Governour & Councill, who (as a Court of Quarter-Sessions after the said Assembly was adjourned . . . les Bland (with an unexampled severity) in an Order drawne up by the said Ludwell, condemning the . . . givenesse of the said Ludwell (to w'ch the said Giles Bland submitted) and in a Fine of 500l to the . . . be paid after two yeares, unless in the mean time hee should gett the same remitted by an Order . . . Lord of the Privy Councill:—

. . . . Much as this Misdemeanor was primarily & principally occasioned by the provocation and . . . Brandy, putt upon the said Giles Bland by the said Ludwell. And that the said Giles Bland . . . might not bee proceeded against as a Malefactor w'thout & against Law for a Crime not comitted . . . rt And that the said Giles Bland demanded & prayed that hee might be tryed by a jury . . . of England, & of that Country) who might legally enquire into the fact; And that the whole . . . d on by the said Ludwells Power, in his own case & by the influence hee had upon the Councill . . . rily, violently & injuriously against the said Giles Bland, being a stranger, & friendless upon . . . English Man of right ought not to have been so grievously

* MSS. cut away.

fined, contrary to your Ma'ts . . . derived from your Ma'tie.

Petitioner therefore humbly betakes herself to your Ma'ties gracious Protection on the . . . of her said son, not only by suppressing the said sentence and Fine of 500l But to require ye . . . vernour and Councell of Virginia to remove that prejudice and bitterness w'th which they . . . secute the said Giles Bland not only to his great disparagem't and the disadvantage of his . . . (who very much suffers in his Estate by the present sufferings of his son) but the disservice . . . Ma'tie Your Petitioners son being Employed and very industrious, in your Ma'ts service . . . inia as Collector of your Ma'ts Customes there, an Office most useful & necessary to Trade, . . . ur Ma'ts Affaires there, though much discouraged upon the place, by such as have a . . . regard to their private Interests.

And yo'r Pet'r shall ever pray &c.

[Indorsed] Att the Court att Whitehall Aprill the 22d 1676.

His Ma'ty is graciously pleased to referr this petition to the Rt. hono'ble the Committee of the Privy Councell for fforreigne Plantations to examine the contents thereof and make Report to his Ma'ty whoe thereupon will further declare his Royall Pleasure.

[Sign'd] THO: POVEY.

(*Col. Papers*, Vol. XXXVI, No. 50.)

LETTER OF GILES BLAND TO SIR JOSEPH WILLIAMSON, 1676.

(Copy.)

James Town Aprill
the 28th 1676.

May it please yo'r Hon'r.

I may believe it is not unknowne to yo'r Hon'r that I am employed heere by his Ma'tie as Collect'r of his Ma'ties Customes, in which service I have suffered many hardships and Discouragements, and performed the Part of our industrious and Trustie Person, as I have made it appeare, by the full Accounts I have given from time to time of my Continuall Proceedings,

to the Commissioners of his Ma'ties Customes from whom I received my Instructions. But being heere in his Ma'ties service, and knowing well yo'r Hon'rs Qualitie, and yo'r desire to informe you'r selfe of any of his Ma'ties Concernments, and the Interests of State at home and abroad, I doe presume most humbly to represent to yo'r Hon'r the Condition of affaires, as I have observed them; whilst my Business hath led me into an Inspection of the state of Things heere, Which I finde to be in a verie distracted Posture; and which will require the immediate applications of his ma'tie and his Councells; not only as this is a Collonie of English Men, subject to his Ma'ties Government but as it affords more then a hundred thousands pounds of yearly Revnue to his Ma'tie, which must of Necessarie Consequence cease or abate verie much if timely Remedies shall not be found out, to Establish this Place in Peace, and securitie, not only from their Enimies, but from the Pressures and discontents, which (they Imagine at leaste) they receive from the Government, which allreadie hath soe little Reverence Paide them, that a considerable Bodie of the Countrie have Armed themselves without Commission against their Enimies, and for Redress of their Grievances, as is more Largely set downe in the inclosed Paper, w'ch is collected from the advice of severall Prudent Persons of which yo'r Hon'r may make such use as in yo'r wisdome you shall think fitt, for his Ma'ties service and the Peace of this People.

I may farther add, that heere is a ffrench shipp run aground whither Purposely or accidenttaly, or upon what other Pretences I am not sufficiently informed, which is seiz'd on, and is to bee formally Condemn'd in October next: her Lading which was of Cloath of Tissue, silke Ribbands, heere is said to be worth 13 or 14000lb pounds which is soe much Imbezz'd as that she is not now vallued at above 3 or 4000lb pounds.

I wish to yo'r Hon'r all Prosperitie and subscribe my selfe

Yo'r Hon'rs Most Obedient servant

[Signed] GILES BLAND.

Sr. Joseph Williamson.

[Indorsed] James Towne in Virginia 28 Aprill. R. June 1676. Mr. Bland.

(*Col. Papers*, Vol. XXXVI, No. 54.)

THE STATE OF VIRGINIA, 1676.^a

(Copy.)

Virginia is at this point of time under the greatest Distractions, y't it hath felt since the yeare 1622, when the Indians in one Night Murthered soe many, that they left not 500 alive in ye whole Collony. At this time the Indians seeme to have conspired, as the other have done neare New England. And ye present danger of this place is the greater, because of their Discontents among themselves, which are grown to soe great a Height, for the defence of ye Country against the Indians, a Body of about 500 are in Armes, without the Commission of the Governor (who denyed one to them) setting forth a Declaration of their Dangers and their Grievances; and taking noe Notice of the proclamation sent from the Governor to forbidd and suppress them. They are headed and Ledd by persons of quality there, which was wanting to them in 1674 when they were suppressed by a Proclamation, and ye advice of some discreet persons that had then an Influence upon them: which is now much otherwise; for they are at this time Conducted by Mr. Nathaniel Bacon, lately sworne one of ye Councell, and many other Gentlemen of good Condition; soe that it may be fear'd that the Enemie will make a great advantage of these Disorders in the Government, which already want that Reverence that should enable it to protect itself and the publike. The Heads of the Declaration, the names of the persons engaged and the Journall of their proceedings are heere omitted, be-

^aTo ascertain how far the statements made in this paper are true, false or exaggerated would be a good piece of collegiate work in Virginia history. The records of the counties of Northampton, Accomac, Lower Norfolk, York, Surry, Old Rappahannock, Middlesex, Lancaster, Northumberland and Westmoreland, all of which go back to this period, would give much valuable information.

cause surely those Gentlemen who are Employed as Com'rs from ye Governor and Councell to his Ma'tie, will bee able to represent all ye perticulahs of these unhappy proceedings which may bee the Ruine of the most beneficiall Plantation that belongs to his Ma'ties Crowne, if ye good Providence of God shall not prevent it, by reuniting this People, and reinforcing the Government, which is principally charged to bee ye occasion of this Defection, by the Discontented party, who perhaps are much the greatest number. They complaine that great Taxes are Imposed upon them every yeare, by the Poll, whereby ye poorer sort are in the hardest Condition, who haveing nothing but their labour to maintaine themselves, wives and children, pay as deeply to ye publike, as Hee that hath 20000 Acres One principall occasion of these levyes is said to bee the often meeting of ye Assemblys and ye very great allowances to them that serve in it as Members of it, every Burgess being allowed 150 pounds of Tobacco a day from the time they goe from home, besides allowances for their Man and Horse, ffor which they commonly charge ye County with 100 pound of Tobacco more whereby the charge of every Country amount to 500 pound of Tobacco dayly for their 2 Burgesses. Though many of the Counties are soe small, that they have not above 500 titheables in them, and some not soe many. And as a greater weight to this Burthen, they farther Complaine that their Burgesses do give to ye Governor and others great guifts, w'ch are also Levied by the Poll: Besides what is Laid upon ye people by ye Assembly by the name of ye publike Levy. And ye Justice of ye Peace for each County (by some sort of Authority they pretend to) Laid an Arbitrary Taxe, w'ch commonly exceeds the Publike Levy. For which causes (as it is said before) ye people began to Mutinie in 1674. At this time Discontents are grown stronger, and the parties discontented are more numerous, and much more considerable, soe that the most prudent Councells and applications are most Necessary at this time. But it seems heere to bee very unlikely that ye Authority and power, Lodged in ye Aged Governor, and his divided Councell, are able to appease and settle things seasonably and effectually, without the gracious assistance of his

Ma'tie and his Councells, w'ch perhaps may bee opertunely done, whilst those persons are attending his Ma'tie who were employed hence by ye Governor. Some Sober men heere are of opinion that his Ma'tie may easily doe things, w'ch will certainly tend to ye quiet and satisfaction of his people, by a few Concessions and Directions.

1. By confirming every man's Propriety to the present possessors and their Heires, by a power under ye Broad Seale.

2. By inlarging their Liberty, in declareing that all such as are born there shall bee free borne Subjects of England to all intents and purposes.

3. That ye Act for the wages of Burgesses be made to extend noe farther then the Statute doth in England, for the parliament there.

4. That ye Tax of 2s upon every Hoggshead of Tobacco, bee closely applyed to publike charges, it being supposed sufficient to discharge also the wages of the Assembly men, and other necessary expenses of the Government, the Laws expressly provideing & appointing that after the Governor is paid his Sallary, the remaining part is to bee Employed to other uses of ye Publicke, and noe allowance is given by that Law, that any part of it shall bee given away. And if at any time it shall appeare that ye Necessary charge of the Governem't shall exceed the Tax of 2s p Hoggshead, That then it bee Levyed by a Land Tax, w'ch seemes to bee the most equall Imposition and will generally take off the Complaints of the People. Although perhapps some of the richest sort will not like it, who hold greater proportions of Land then they actually plant, who may then (by an Expedient very beneficial to the Country) lay downe part of their Land to bee taken up by such as will Employ it. By which means the Country will bee better inhabited, and the Kings Customes increased. And the people liveing nearer together, will bee better enabled in their Defence ag'st their Common Enimy the Indians. Such Considerations as these, are amongst many sober men heere, and may perhapps bee worth the Considering by such as have the care of his Ma'ties Interests in England. Because his Ma'ties Revenue from hence w'ch is estimated at more then a hundred

thousand pounds yearly, must hold [?], or bee diminished according to ye Security, Peace and Prosperity of this place, from whence soe bountifull a Cropp is to proceed and flow into his Ma'ties Treasury.

[Indorsed] The State of Virginia. R. June 1676.

(*Col. Papers*, Vol. XXXII, No. 55.)

ORDER OF KING IN COUNCIL, 1676.

(Abstract.)

Whitehall, April 28, 1676.

Order of the King in Council approving Commission prepared by the Attorney General by direction of the Committee for Trade and Plantations for the Governors in America to take the Oaths directed by the Acts of Navigation & Trade and ordering that the Attorney General prepare form of an Oath to be taken by said Governors according to said Acts to be inserted in said Commission.

(Col. Entry Book No. 96, p. 68.)

SECRETARY THOMAS LUDWELL TO LORD ARLINGTON,⁴ 1665.

Virginia, Apr'll 10th 1665.

Right Hono'ble

That I have not yett made my humble addresses to you, hath arisen from my just contemplation of the multitude of businesse w'ch doth continually presse you w'ch made mee reasonably feare, that on accompt of the occurrences of this country might bee too troublesome an interruption of your more waighty affaires, especially coming from a person who never deserved nor had the Honnor to be knowne to you; but since I have receaved advice from some of my ffreinds y't it is a duty expected from me (as his Ma'ties secre'y of this Col-

⁴A series of papers of a date earlier than those just preceding begins with this document. Conditions of copying prevented these papers from appearing in the proper order. Thomas Ludwell was Secretary of State of Virginia, 1661-1678.

lony) to give your honnor a yearly acco't of the consernes of this place, I shall (w'th an appology for mine imperfections) constantly perform it, & have accordingly sent to Coll: Moryson (agent for this country) the copy of all our laws enacted these last three years, w'th our accompt of the publique payments & the tryall of those rebellious servants who in Sep't 1663 conspired the ruine of this government, to be presented to you; And the better to comply w'th my duty I thought it necessarie to acquaint your honnor that in obedience to his Ma'ties Royall instructions we have begun a towne¹ of brick and have allreddy built enough to accommodate both the publique affairs of ye country and to begin a factory for Merchants, and shall encrease it as there shall bee occasion for it, wee have faire beginnings of silke, flax, potashes & english graines and doe probably hope in a short time to make great quantitys of those comodities, wee have built sever'll small vessels to trade w'th our neighbors & doe hope ere long to build bigger and such as may trade for England, and should undoubtedly be a most flourishing plantation were wee not soe invaded by our neighbour plantacions, who, of as much land as all ffrance, have not left us soe much as Yorkeshire, wee have now a difference w'th my Lord Baltimore concerning our bounds and doe most humbly beseech yo'r Honnor soe much to favor us where it shall bee presented to the Councell table that wee may have such a descision of it as may seem most reasonable to you and agreeable to our just pr'tends and that if any

¹An "Act for building a towne" was passed at the December, 1662, session of the General Assembly. It provided that thirty-two brick houses should be built at Jamestown, each to be forty by twenty feet, with walls eighteen feet high and roofs of fifteen foot pitch, to be covered with slate or tile. Evidently the houses had two low-pitched stories and a half. The houses were to be "regularly placed one by another in a square or such other forme as the honorable Sir William Berkeley shall appoint." (*Hening*, II, 172, &c.) The five houses, including the State House, whose foundations were discovered by Mr. S. H. Yonge, and excavated by the Association for the Preservation of Virginia Antiquities, are beyond doubt houses built under this act. They form a connected block 280 feet long, and are among the most interesting remains at Jamestown.

favor it graunted it may be to his Ma'ties owne antientest plantation. And now most honord Sr. I have noe more to trouble you w'th but most humbly to desire you to pardon my folly and to receive mee into your favor And I shall for ever pray that God will encrease your Honnors and happinesse Right Hono'ble

Yo'r Honnors most humble and obed't serv't

[Signed] THO. LUDWELL.

[Indorsed] April 10, 1665. Mr. Ludwell Secr'y Virginia. Hath (being secretary of that Colony) sent to their Agent Col. Morison a Transcript of their lawes for 3 yeares past, an acc. of ye publike paym'ts & of ye Triall of those Rebellious serv'ts y't in 63 attempted ye subversion of ye Governm't there: Have begun a Towne, capable (at present) for ye Civill Administracon, & an introduction to a ffactoric, Hope in sholt time, a good increase of silke, flaxe, potashes & English-graine, prayes an Order of Councill for adjusting of their limits & to defend y'm ag't my L'd Baltimore's Incroachm'ts.

(*Col. Papers*, Vol. 29, No. 47.)

AGREEMENT BETWEEN VIRGINIA, MARYLAND AND CAROLINA
FOR A CESSATION OF TOBACCO PLANTING, 1665.

(Copy.)

(State Papers Colonial Virginia, Vol. 59, p. 161.)

(July 12th 1666.)

Articles agreed and included upon at James Citty ye 12th

⁶The bug-bear of the Virginia planter at this period of the seventeenth century was over-production of tobacco, and what was believed to be the panacea for the evils of hard times was a cessation from planting. If the supply was limited the price must go up. It was of course useless for Virginia to attempt this alone, while the adjoining colonies continued to grow tobacco, so many efforts were made to obtain their co-operation. The Virginia Assembly at the session of June, 1666, passed an act for a cessation and appointed commissioners to treat with the other colonies. Lord Baltimore opposed cessation, and influenced by his arguments, and also, doubtless, by fear of loss of revenue, the Privy Council declared that the agreement for a cessation should not go into effect.

of July 1666 Between ye Hon'ble Thomas Ludwell Esq're Secretary of Virginia. Maj'r Genn'll Rob't Smith Maj'r Genn'll Richard Bennett Capt. Daniell Parke Capt. Joseph Bridgers & Capt. Peter Jennings and Mr. Thomas Ballard Genl. Commiss'rs from the Right Hon'ble Sr. Wm. Berkeley and ye Assembly of Virginia and The Hono'ble Phillip Calvert Esq're Henry Courcy Esq're Nathaniel Uty and Robt. Slye Esq'res Commissio'rs from the Hon'ble Charles Calvert Esq're Governo'r of Maryland and ye Assembly there sufficiently by the Lawes and Comsion of the Gov'rs and Colonies empowered & ye Hon'ble William Drummond Govern'r of Albemarle County in ye Province of Carolina and Tho. Woodward Surveyor Gener'll of the said Albemarle County Comissio'rs by the Deputie & Gov'r Court and Committee of ye said County being ye Legislative power of ye said County for ye time being sufficiently impowered to treat and conclude upon a totall Cessation from sowing, setting planting or any waies tending any Tobacco in any the three Colonies aforesaid or any parte of them in the yeare 1667.

Whereas there passed an Act entituled an Act for ye Encouragement of Trade at an Assembly held at Maryland the 10th of April 1666 wherein It is enacted that from and after ye first day of February which shall be in the present yeare 1666 untill ye first of February which shall bee in ye yeare of our Lord 1667 noe tobacco shall be sowed sett planted or any waies tendered in the said Province of Maryland Provided that ye Hon'ble Sr. Wm Berkeley Kn't and ye Assembly of Virginia and William Drummond Esq're Gov'r of Carolina and ye Assembly there doe make the like Act in their several Assemblies Prohibiting the sowing setting planting or any waies tending any tobacco in the said yeare within their several and respective Jurisdicions And whereas the said Hon'ble Sr Wm Berkeley Knight and ye said Assembly of Virginia did at an Assembly held at James City ye 5th of June last past in concurrence with the said Act of Maryland make a Law with ye same Restricons and prohibicons of planting setting sowing or anywaies tending any tobacco within this Colony of Vir-

ginia with the same provisions and limitacons as are conteyned in the said Act of Maryland. And whereas the said Will'm Drummond and Thomas Woodward Gov'r and Commissio'rs for ye said Albemarle County have promised and undertaken to procure an Act in their Councell and Committee prohibiting ye sowing setting planting or anywaies tending any tobacco in the County of Albemarle from the first of February which shall bee in ye year 1666 till ye first of February which shall bee in ye yeare 1667 and ye same Law soe made one, or more authentiq coppies thereof cause to bee delivered to the Right Hon'ble ye Gov'r of Virg'a and the Hon'ble Governo'r of Maryland at or before the last day of September next ensuing the date hereof.

And whereas ye said Acts of Virginia and Maryland & the said Ord'r of the Courte and Committee of Albemarle County signed by the Deputie Gov'r Councell Speaker and Committee thereof Have amongst other matt'rs and things nominated constituted impowered and appoynted us the subscribed to bee Commissio'rs to treat and concluded upon a totall cessation as aforesaid in the places and year aforesaid and to treat and conclude upon ye most effectuall means of putting ye said Act into effectuall execution obleidgeing themselves and the publiq'e faith of their respective Collonies to ratefie and confirme whatsoever shall be treated and concluded on by & between ye said Commissio'r in manner and to the intent aforesaid in obedience to & for the better execption of the s'd Act It is therefore by us the s'd Com'rs of the said respective Collonies concluded & agreed.

First, that the said Lawes for a Totall cessation from planting setting sowing or anywaies tending Tobacco in any or any part of all or either of the said Colonies of Virginia and Maryland bee effectually putt in execution in Virginia and Maryland Provided that the said Gov'r Councell and Committee of Albemarle County doe make a law there prohibiting ye sowing setting planting or anywaies tending any tobacco in the said County from ye first of February which shall bee in the yeare 1666 till ye first of February 1667 in like manner as is already

donne in Virginia and Maryland and the same Act soe as aforesaid to bee made shall transmitt to the Gov'r of Virginia and Maryland, or authentiq'e copies thereof at or before the last day of September next ensuing the date hereof.

Secondly, for ye Better and more effectuall execution of the s'd Lawes in the severall Colonies aforesaid It is concluded and agreed by and between us the said Com'rs that the severall and respective Gov'rs Councill'rs and Justices of the Peace and all other publiq'e Officers within the said Colonies of Virginia Maryland and Albemarle County in Carolina to take a solemn oath upon the Evangelists to use their best and utmost endeavour fully and effectually to see the said Lawes executed according to the true intent and meaning of the said Lawes and these Articles without any partialtie or evasion and the said Oathes to bee taken before such p'sons as shall bee ap'oynted by the respective Collonies if they shall think fitt to appoint any such.

Thirdly, for the mutuall and better securities of each respective Province from any dammage or Inconvenience that may arrive or happen to them by the breach of the said Act in their neighbors Collonies It is agreed and concluded by and between us the Commissio'rs aforesaid that there shall bee free leave and full power left to all and everie of the said Colony to appoynt and impower such p'sons as they shall thinke fitt to goe into any part of their Neighbors Collonies there to see whether the said Act bee broken or not and if they find them broken then upon complaint made by the said p'sons so impowerd to the Gov'r of ye Colony soe offending against the intent and meaning of the said Act The said Gov'r and other Magistrates of the said Collony offending as aforesaid shall be obliged forthwith to imploy their respective authorities and utmost power for the effectuall punishment of such Offenders by cutting up their Tobacco either sowed planted sett or tended as aforesaid.

That these above menconed Articles are our mutuall Agreem'ts according to the power given us as aforesaid.

Wee the said Comm'rs have hereunto sett our hands and seals the day & year and in the place first above menconed.

WILL DRUMMOND. (Seale.)
THO: WOODWARD. (Seale.)
PHILLIP CALVERT. (Seale.)
HENRY COURSEY. (Seale.)
NATH: UTY. (Seale.)
ROBT. SLYE. (Seale.)
THOS. LUDWELL, SCR. (Seale.)
ROBERT SMITH. (Seale.)
RICHARD BENNETT. (Seale.)
DANIEL PARKE. (Seale.)
JOSEPH BRIDGER. (Seale.)
PETER JENNINGS. (Seale.)

[Endorsed] Articles of Agreement concerning the Cession in Virginia and Mary Land and Albermarle at James Citty. Treaty at James Citty 12th July 1665.

I certify that the foregoing is a true and authentic copy taken from the Volume above named.

JOHN McDONAGH,
Record Agent,
June 28th, 1871.

(TO BE CONTINUED.)